

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

JURY TRIAL DEMANDED

SARA FUENTES

Plaintiff

vs.

DR. RANEE MEHRA, M.D.;
FOX CHASE CANCER CENTER

Defendant

CIVIL ACTION NO.

1:14-cv-08118-RNK-KMW

**AMENDED COMPLAINT
AND DEMAND FOR JURY TRIAL**

Plaintiff, Sara Fuentes, by way of Complaint against the Defendants, hereby says as follows:

Nature of the Action

1. This is an action for personal injuries sustained by plaintiff due to the alleged medical negligence by defendants.

Jurisdiction and Venue

2. Jurisdiction is invoked pursuant to 28 U.S.C. §1332, as the parties are citizens of different states and the matter in controversy exceeds \$75,000, exclusive of interest and costs.
3. Venue is properly laid in this jurisdiction pursuant to 28 U.S.C. §1391 (b)(2), since Plaintiff is a resident within the District of New Jersey; Defendant Fox Chase does business within the State of New Jersey and on information and belief Defendant, Ranee Mehra, M.D., resides within 100 miles of the boundaries of the District of New Jersey.

The Parties

4. Plaintiff, Sara Fuentes, is a citizen of the State of New Jersey residing at 401 Cooper Landing Road, Apartment 327, Cherry Hill, New Jersey.
5. At all times relevant herein, defendant, Dr. Ranee Mehra, M.D., is a citizen of Pennsylvania residing of 740 Rydal Green Drive, Jenkintown, PA and is an oncologist providing medical services at Fox Chase Cancer Center, 333 Cottman Avenue, Philadelphia, Pennsylvania.
6. At all times relevant herein, Fox Chase Cancer Center, is a citizen of the State of Pennsylvania having been incorporated in the State of Pennsylvania and having its principal location of business at Fox Chase Cancer Center, 333 Cottman Avenue, Philadelphia, in the State of Pennsylvania. Defendant, Ranee Mehra, M.D., is a principal, agent or employee of Fox Chase Cancer Center which provided oncology services in Philadelphia, PA, and Voorhees, Marlton and Mt. Holly, New Jersey.

Statement of the Case

7. Plaintiff, Sara Fuentes, was a patient of Defendant, Ranee Mehra, M.D., who was being treated for non-small cell lung carcinoma of the left lung and non-small lung carcinoma in the right lung, diagnosed in February 2010 and in remission as of 2012.
8. In 2012, the Plaintiff underwent a period of observation with no reported recurrence of the cancer.
9. However, plaintiff did make continued multiple complaints of chronic pain to the bilateral chest wall radiating to the back.

10. In or around January 2012 a PET scan revealed the presence of nodule in the lower lobe. Plaintiff was not informed of the existence of this nodule.
11. Further PET scans were undertaken throughout 2012.
12. During 2012, various reports indicated increased metabolic activity in the nodule, but Plaintiff was not advised that the increased metabolic activity was considered worrisome as to the potential for malignancy.
13. A PET scan of October 26, 2012 indicated a right-sided subpleural nodule on the right lower lobe of the lung. Again, Plaintiff was not informed of the existence of this nodule.
14. Plaintiff was not informed of the changes in the PET scan until December 3, 2012 during a consult with Raneer Mehra, M.D. A biopsy of the right lower lobe was performed on the same day.
15. On January 8, 2013, Plaintiff was informed by defendant, Raneer Mehra, M.D., that the biopsy of the right lower lobe performed in December 2012 was positive for malignant cells favoring adenocarcinoma. This was Plaintiff's first awareness of malignancy or even the possibility of malignancy.
16. The treatment rendered by defendant Raneer Mehra, M.D., was negligent, careless and/or deviated from the appropriate standard of care in the following manners, which are inclusive but not exhaustive.
 - a. The delays, errors and/or omissions which occurred with the results of the testing not being conveyed to the Plaintiff.
 - b. Defendant, Raneer Mehra's, M.D., failure to recognize the extent of Plaintiff's condition in a timely manner thereby causing plaintiff to

experience the nodule which had been cancerous and not advising the plaintiff of the suspicious and/or cancerous nature of the nodule.

- c. Defendant, Ranee Mehra's, M.D., failure to institute reasonably necessary and/or appropriate procedures and/or recommendations prior to and following the 10/26/12 positive PET scan.
- d. Delaying biopsy of the suspicious nodule until December of 2012.
- e. Failure to apprise Plaintiff of her condition and options prior to January 8, 2013.

COUNT ONE
(Medical Negligence as to Defendant, Ranee Mehra, M.D.)

- 17. Plaintiffs repeat and reallege all of the foregoing allegations contained in Paragraphs 1 through 16 as if fully set forth at length herein.
- 18. Defendant, Ranee Mehra, M.D., was negligent, careless and/or failed to practice in accordance with the appropriate standard of care as set forth in paragraph sixteen (16) above.
- 19. As a direct and proximate result of the aforesaid negligence, carelessness and/or deviations from the standard of care committed by defendant Ranee Mehra, M.D., plaintiff has endured and, will continue to endure great pain, suffering, disability and mental anguish; has incurred and will continue to incur expenses related to her medical

care and management; has incurred economic losses including loss of earnings and was otherwise damaged.

WHEREFORE, Plaintiff, Sara Fuentes, demands Judgment, on this Count against, Defendant, Ranee Mehra, M.D., for such sums of money plaintiff may be entitled under the laws of the State of New Jersey together with interest, costs of suit and for such other relief that the Court deems equitable and in the interests of justice.

COUNT TWO
(Medical Negligence/Respondeat Superior as to Defendant Fox Chase Cancer Center)

20. Plaintiffs repeat and reallege all of the foregoing allegations contained in Paragraphs 1 through 19 as if fully set forth at length herein.
21. Defendant, Fox Chase Cancer Center, failed to act in accordance with contemporary medical standards and otherwise deviated from the standard of care by failing to properly supervise defendant, Ranee Mehra, M.D., in treating the plaintiff, or otherwise failing to properly recognize the nature of Plaintiff's condition and/or communicated adequately with Plaintiff.
22. Defendant Fox Chase Cancer Center is further responsible for the negligent acts of its employees, including Dr. Mehra.
23. As a direct and proximate result of the aforesaid negligence, carelessness or vicarious responsibility of the defendant, Fox Chase Cancer Center, plaintiff has endured and will

continue to endure great pain, suffering, disability and mental anguish; has incurred and will continue to incur expenses related to her medical care and management; has incurred economic losses including loss of earnings was otherwise damaged.

WHEREFORE, Plaintiff, Sara Fuentes, demands Judgment on this Count against, Defendant, Rane Mehra, M.D., and/or Fox Chase Cancer Center for such sums of money plaintiff may be entitled under the laws of the State of New Jersey together with interest, costs of suit and for such other relief that the Court deems equitable and in the interests of justice.

Respectfully submitted

By:



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Dated: 01/19/15